

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Neither a filing fee nor an application to proceed *in forma pauperis* was submitted with the petition. Petitioner must either submit the \$5.00 filing fee for habeas petitions or an application to proceed *in forma pauperis*.

IT THEREFORE IS ORDERED that this action is **DISMISSED** without prejudice to the filing of a new petition in a new action.

IT FURTHER IS ORDERED that the Clerk of the Court shall send petitioner two copies of an *in forma pauperis* application form for a prisoner, one copy of the instructions for the same, two copies of a blank 28 U.S.C. § 2254 habeas petition form, one copy of instructions for the same, and a copy of the petition filed in this action (ECF No. 1).

IT IS FURTHER ORDERED that petitioner may file a new petition in a new action, but he may not file further documents in this action.

IT IS FURTHER ORDERED that the Clerk of the Court shall enter judgment accordingly.

DATED: September 8, 2011.

Philip M. Orr

PHILIP M. PRO
United States District Judge